

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ASHLAND JEWELERS, INC., an Illinois)	
corporation, ET AL.,)	
)	
Plaintiffs,)	CIVIL ACTION NO.
)	
VS.)	3:11-CV-0797-G
)	
NTR METALS, LLC, a Texas limited)	
liability company a/k/a NORTH TEXAS)	
REFINING, LLC, a Texas limited liability)	
company,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This court is required to examine the basis of its subject matter jurisdiction, on its own motion if necessary. *Torres v. Southern Peru Copper Corp.*, 113 F.3d 540, 542 (5th Cir. 1997). Diversity of citizenship is alleged as the basis for subject matter jurisdiction in this case. Class Action Complaint (docket entry 1) ¶ 2. The plaintiff Ashland Jewelers, Inc. (“Ashland”) is alleged to be an Illinois corporation, *id.* at 1, but no principal place of business is alleged, as required by 28 U.S.C. § 1332(c)(1).

Similarly, the plaintiff Excel Pawn, Inc. (“Excel”) is alleged to be a Minnesota corporation, *id.* at 1, but no principal place of business is alleged.

Diversity of citizenship jurisdiction requires that the citizenship of each plaintiff must be different from the citizenship of each defendant. *Strawbridge v. Curtiss*, 7 U.S. 185 (1990). This rule applies to the limited liability companies like the plaintiffs PJ’s Pawn Plus, LLC (“PJ’s”) and CN Cash for Gold, LLC (“CN”) and the defendant NTR Metals, LLC a/k/a North Texas Refining, LLC (“NTR”). *Harvey v. Grey Wolf Drilling Company*, 542 F.3d 1077, 1079-81 (5th Cir. 2008).

Within ten days of this date, the plaintiffs shall file and serve an amended complaint alleging the principal place of business of the plaintiffs Ashland and Excel and the names and citizenship of all of the members/owners of the plaintiffs PJ’s and CN and the defendant NTR. Failure to timely file and serve such an amended complaint will result in the dismissal of this case without further notice.

SO ORDERED.

April 21, 2011.



A. JOE FISH
Senior United States District Judge